

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MEDICIS PHARMACEUTICAL CORPORATION,
Plaintiff,

-v-

NYCOMED U.S., INC.,
Defendant.

**USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: APR 20 2012**

11 Civ. 4962 (AJN)

11 CJ 4962

ORDER

ALISON J. NATHAN, District Judge:

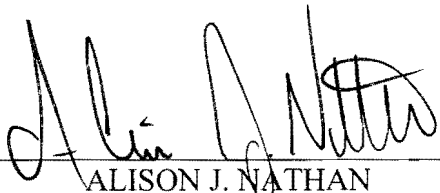
The Court sets the following schedule in this matter:

- (1) Amended pleadings shall be filed no later than June 1, 2012;
- (2) Opening claim construction briefs shall be filed no later than January 15, 2013;
- (3) Responsive claim construction briefs shall be filed no later than February 15, 2013;
- (4) A claim construction hearing is set for March 18, 2013, beginning at 9:30 am;
- (5) Fact discovery will close March 26, 2013;
- (6) A joint preliminary trial report will be due April 15, 2013;
- (7) Expert reports concerning issues on which the party has the burden of proof shall be served no later than 45 days after the Court's ruling on claim construction;
- (8) Rebuttal expert reports, including Medicis' report(s), if any, on secondary considerations, shall be served no later than 90 days after the Court's ruling on claim construction;
- (9) Reply expert reports, including Defendant's report(s), if any, on secondary considerations, shall be served no later than 120 days after the Court's ruling on claim construction;
- (10) Expert discovery shall close 165 days after the Court's ruling on claim construction;
- (11) Dispositive motions shall be filed no later than 195 days after the Court's ruling on claim construction.

In the event that any party intends to file a dispositive motion prior to the close of discovery, that party shall submit a letter, no more than three pages in length, requesting a pre-motion conference and outlining the basis of the proposed motion. The opposing party may submit a responsive letter, no more than three pages in length, no later than one week after submission of the letter requesting a pre-motion conference. No such letters are required for dispositive motions filed after the close of discovery.

SO ORDERED:

Dated: April ~~20~~²⁰, 2012
New York, New York



ALISON J. NATHAN
United States District Judge